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09/817,241

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Kunio Ikui

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23353

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EXAMINER

LEURIG, SHARLENE L

ART UNIT

PAPER NUMBER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 0404

Application Number: 09/817,241
Filing Date: March 27, 2001
Appellant(s): IKUI ET AL.

Ronald Kananen
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed February 24, 2004.

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(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The amendment after final rejection filed on February 24, 2004 has been entered.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 2-6 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,025,490	TAMURA	6-1991
5,757,117	HIRASAWA ET AL.	5-1998
5,091,244	BIORNARD	2-1992

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tamura (5,025,490).

Tamura discloses a display apparatus having a display screen (Figure 1, element 7) with a stacked film attached to its front surface, the stacked film consisting in sequence a base layer (8), a hard coat layer formed of glass (1), a conductive film layer (2) and "an electrical insulating layer" (3), also known as a dielectric layer (column 1, lines 53-54). Tamura discloses an electrically conductive adhesive tape (6) (column 2,

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line 53) including a conductive base of copper or aluminum coated with an electrically conductive bonding agent that serves as a conductive sticky layer with a specific electrical resistance (column 6, lines 28-32). Tamura explicitly describes the tape (6) as being adhesive, and therefore the bonding layer of the tape is inherently sticky. The sticky layer of the tape is connected to a grounded "common potential line" (column 2, line 51) and the other end of the tape may be stuck directly onto the dielectric film (column 4, line 7).

Regarding claim 5, the conductive film has a typical sheet resistance of about "106 to 109Ω/□" which falls within the claimed range of 100-1KΩ/□ (column 7, line 8).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (5,025,490). This rejection is set forth in prior Office Action, Paper No. 13.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (5,025,490) in view of Hirasawa et al. (5,757,117). This rejection is set forth in prior Office Action, Paper No. 13.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (5,025,490) in view of Biornard (5,091,244). This rejection is set forth in prior Office Action, Paper No. 13.

(11) Response to Argument

In regards to Appellant's arguments presented in the Arguments on page 9, paragraph 2, the Appellant alleges that Tamura teaches a "a conductive tape 6, 11 including a conductive base 11 and a conductive sticky layer 6", and on page 10, paragraph 1 goes on to allege that Tamura "fails to disclose, teach or suggest layer 11 of the conductive tape including a conductive base. Indeed, Tamura arguably teaches layer 11 of the conductive tape as a non-conductive base 11."

The examiner disagrees with the Appellant's interpretation of the examiner's rejection. The examiner has never cited element 11 as being a conductive base, as the Tamura reference clearly states that tape 11 is insulating, as the Appellant has correctly cited. The examiner has consistently directed the Appellant to column 6, beginning at line 24, and more particularly lines 28-32, where Tamura discloses that the conductive adhesive tape 6 is composed of two layers, one of which is either a copper or aluminum base, which is inherently conductive, and the second being a coating of an electrically conductive bonding agent. Since Tamura repeatedly discloses that element 6 is an electrically conductive adhesive tape (column 2, line 53), the bonding layer is therefore inherently sticky.

Thus the examiner maintains that the Tamura reference reads on each and every limitation of claims 5 and 6.

In regards to Appellant's arguments presented in the Arguments on page 12, paragraphs 3 and 4, the Appellant alleges that although Hirasawa teaches a conductive

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tape 7 and a conductive sticky layer 8, Hirasawa fails to disclose, teach or suggest the other end of the conductive tape 7 being connected to a ground portion via the conductive sticky layer 8 or the other end of the conductive tape 7 being connected to the reinforcing band 5 via the conductive sticky layer 8, or by any conductive sticky layer.

The examiner's rejection does not rely on Hirasawa to provide the above limitations, as Tamura discloses each and every one of those features.

Therefore the examiner maintains that the combination of the Tamura and Hirasawa references provide each and every limitation of claim 3.

In regards to Appellant's arguments presented in the Arguments on page 13, paragraph 2, the Appellant alleges that although Biornard teaches an electrically-conductive, light attenuating antireflection coating, Biornard fails to disclose, teach or suggest a conductive tape including a conductive base and a conductive sticky layer.

The examiner's rejection does not rely on Biornard to provide the above limitations, as Tamura discloses each and every one of those features.

Therefore the examiner maintains that the combination of the Tamura and Biornard references provide each and every limitation of claim 4.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,

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April 15, 2004

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